



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Lundy Lewis *et al.*

U.S. Serial No.: 09/481,643

Filed: January 12, 2000

For: *Method and Apparatus for Integrated Network  
Management and Systems Management in  
Communications Networks*

Attorney Docket No.: APB-014CNRCE2

Group Art Unit: 2176

Examiner: Chau T. Nguyen

**Mail Stop RCE  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450**

**RECEIVED**

**NOV 24 2004**

Technology Center 2100

"Express Mail" Mailing Label Number EV 419 927 185 US

Date of Deposit November 19, 2004

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

David R. Burns  
David R. Burns

Please Print Name of Person Signing

11/23/2004 HALI11 00000101 09481643

02 FC:1814 110.00 DA

**TERMINAL DISCLAIMER**

Dear Sir:

Petitioner, Aprisma Management Technologies, Inc., is the owner of 100% interest in the instant patent application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of prior U.S. Patent No. 6,131,112 ("the prior patent"). Petitioner hereby agrees that any

~~11/23/2004 HALI11 00000101 120080 09481643~~

~~03 FC:1801 790.00 DA~~  
~~04 FC:1202 90.00 DA~~

patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

Documents evincing that ownership of the present application and all patents that issue therefrom resides with Petitioner are appended hereto. One document, attached hereto as "Appendix A", evidences conveyance of ownership from Lundy Lewis, David St. Onge, and Ruchika Mehata in application serial number 08/649,278 to Cabletron Systems, Inc., recorded with the United States Patent Office on September 30, 1996, Reel No. 008204, Frame No. 0806. A second document, attached hereto as "Appendix B", evidences conveyance of U.S. Patent No. 6,131,112, which issued from application serial number 08/649,278, to Petitioner, and recorded with the United States Patent Office on March 12, 2001, Reel No. 011590, Frame No. 0806. A third document, attached hereto as "Appendix C", evidences ownership in the instant application in Petitioner, and recorded with the United States Patent Office on March 12, 2001, Reel No. 011590, Frame No. 0363.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned, which is Applicants' representative, is empowered to act on behalf of the Petitioner.

I hereby declare that I have reviewed the Assignment documents and certify, to the best of my knowledge and belief, that title to this patent application and to all patents that issue therefrom resides with the Petitioner.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

For the Petitioner,

APRISMA MANAGEMENT  
TECHNOLOGIES, INC.

November 19, 2004

Date



David R. Burns, Esq.  
Registration No. 46,590  
Attorney for Applicants